

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 7, 2006 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone #06037

PROPOSAL: Change from county B business zoning to city H-3 Highway Commercial zoning on land now within Lincoln's zoning jurisdiction.

LOCATION: Approximately 850' south of the intersection of South 134th and "O" Streets.

LAND AREA: Approximately 2.8 acres.

EXISTING ZONING: County I Industrial

CONCLUSION: Due to recent annexations, Lincoln's zoning jurisdiction has expanded, and the Zoning Ordinance directs the Planning Director to change the zoning from the existing county designation to the most similar city designation. The H-3 district is the most equivalent to the existing zoning and also allows the uses either proposed or under construction.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 48 located in the NW1/4 of Section 28, T10N, R8E, Lancaster County, Nebraska.

EXISTING LAND USE:

SURROUNDING LAND USE AND ZONING:

North:	Agricultural	AG Agricultural
South:	Acreages	AG Agricultural
East:	Acreages	AG Agricultural
West:	Agricultural	AG Agricultural

HISTORY:

March 29, 2005 - County Change of Zone #04087 was approved by the Lancaster County Board changing the zoning from AG Agriculture to B Business.

May 8, 1979 - The zoning changed from AA Rural and Public Use to AG Agriculture with the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - The Land Use Plan identifies this property agricultural.

ANALYSIS:

1. This is a request by the Planning Director to rezone property from the county B Business to the city H-3 Highway Commercial district.
2. The City of Lincoln has zoning jurisdiction over the unincorporated areas within three miles of its corporate limits. When additional property is annexed into the city, this 3-mile limit expands accordingly. Once the 3-mile limit envelops land that is within county jurisdiction, the zoning ordinance directs the Planning Director to rezone those properties with the appropriate city zoning classification.
3. The majority of the new area that falls within Lincoln's jurisdiction is zoned AG Agricultural or AGR Agricultural Residential. These two districts are identical in the county and city, so no change to these properties is needed.
4. The zoning on this site was changed from AG to B on March 31, 2005. During the public hearing before the County Board the owner stated he was requesting the zone change to allow mini-storage. The concept plan showed a 35,000 square foot facility with approximately 214 storage bays ranging in size from 5' x 10' to 15' x 45'. The attached site plan modifies the original slightly, and appears to show the largest storage bays increased in size to approximately 15' x 60' to accommodate recreational vehicles and motor coaches.
5. The most equivalent and least intensive zoning district that allows both mini-warehouses and warehouses without size limitations upon individual storage bays is the H-3 district. The range of all allowed uses between county B and city H-3 districts is generally similar. The required setbacks increase slightly with H-3 and are as follows:

	<u>County B</u>	<u>City H-3</u>
Front	30'	25'
Side	0'	15'
Rear	0'	30'

6. The Zoning Ordinance requires the Planning Director "to initiate a change of zone to the appropriate city zoning classification closest in use and area regulations to the previous county zoning." This includes selecting a district that not only accommodates the existing uses but does not create any that are nonconforming. The H-3 zoning district is appropriate for this site.
7. The County Assessor's records indicate that the original Lot 38 has been split into Lots 48 and 49. This requires an approved County Subdivision Permit approved by the Planning Director. The owner is advised to contact the Planning Department for more information on how to apply for a subdivision permit.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner

May 24, 2006

Owner: Rudolph Strnot
7301 Briarhurst Street
Lincoln, NE 68506

Applicant: Marvin Krout
Director, Lincoln/Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508
402.441.7491

Contact: Brian Will
Planner, Lincoln/Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508
402.441.6362



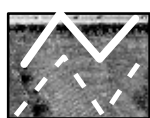
2005 aerial

Change of Zone #06037 134th & O Streets

Zoning:

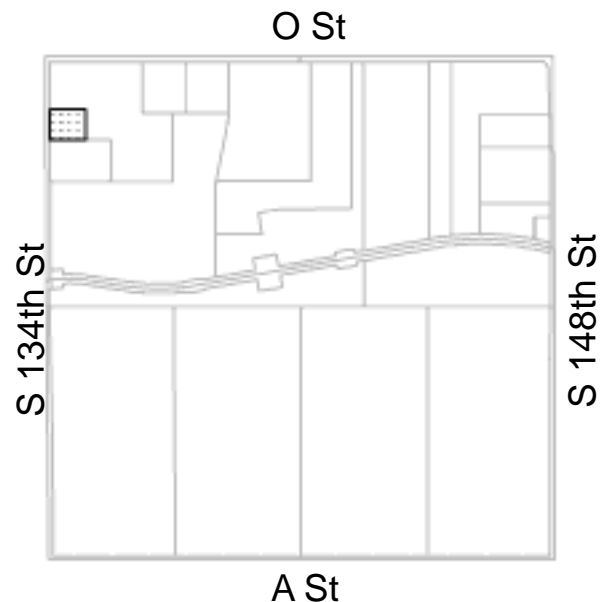
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 28 T10N R8E



Zoning Jurisdiction Lines

City Limit Jurisdiction



1. Property Owner:
PARKER-HANNIFIN CORPORATION
6035 PARKLAND BLVD
CLEVELAND OH 44124-4141
216.896.3000

Legal Description:
LOTS 31, 49 & 50 SW1/4 21-10-8

2. Property Owner:
SKODA DEVELOPEMENT CO
14030 O ST
LINCOLN NE 68520
489.9027

Legal Description:
LOT 33 SW 21-10-8

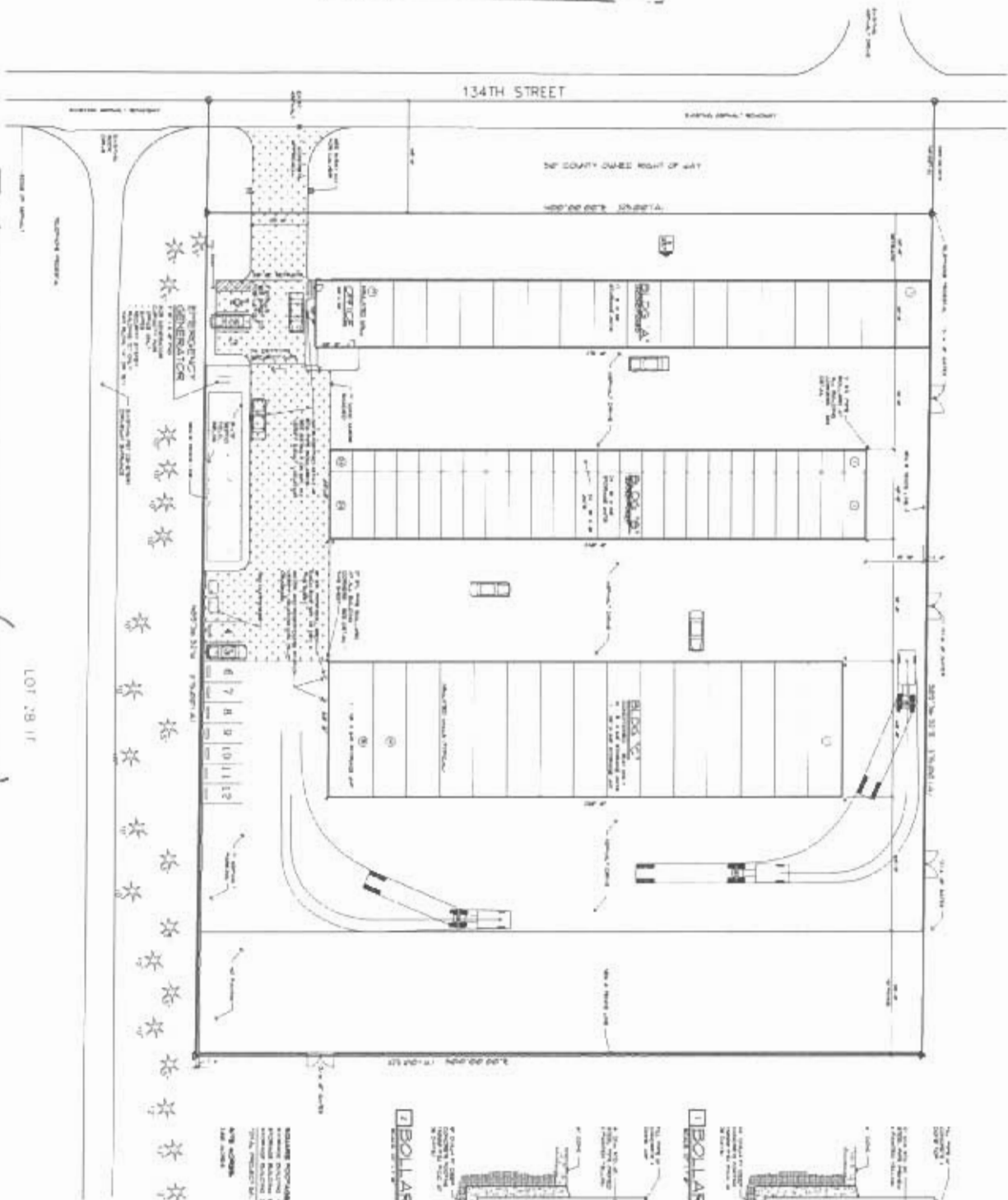
3. Property Owner:
STRNOT, RUDOLPH JR
7301 BRIARHURST ST
LINCOLN NE 68506
489.8957

Legal Description:
LOT 48 NW 28-10-8





ARCHITECTURAL SITE PLAN (CONCEPTUAL)



BOLLARD DET.

BOLLARD DET.

